

FILED
IN OPEN COURT

DEC 11 2012

Superior Court
of the District of Columbia
Washington, D.C.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

SHAKESPEARE THEATRE COMPANY, et al.,

Plaintiffs,

v.

LANSBURGH THEATER, INC., et al.,

Defendants.

2012 CA 004971 B

Judge: John Ramsey Johnson

Next Event: Initial Conference

9:30 am, Friday, September 21, 2012

~~PROPOSED~~ ORDER

This matter having come before the Court on the Motion for Preliminary Injunction filed by Plaintiffs Shakespeare Theatre Company and Christopher Jennings ("Plaintiffs"); and

Having found that Plaintiffs have demonstrated a likelihood of success on the merits; that Plaintiffs face irreparable harm if injunctive relief is not entered; that such harm to Plaintiffs outweighs any harm that will result to Defendants from the grant of injunctive relief; and that the public interest is served by an injunction:

It is on this 11 day of December, 2012,

ORDERED that Plaintiffs' Motion for a Preliminary Injunction is GRANTED.

IT IS FURTHER ORDERED that Defendants Lansburgh Theater, Inc. ("LTI"), Kenneth Krozy, Gordon Shone, Graham Gund, Gunwyn/Lansburgh Limited Partnership and Gunwyn/Lansburgh Development Corporation, and all others acting in concert or participation with any of them, are preliminarily enjoined from taking any of the following actions:

- a. taking any action to evict or displace Plaintiff Shakespeare Theatre Company from the theatre located at 450 7th Street, N.W., Washington, D.C. 20004 (the "Theatre"), or

Copies mailed to the parties 12/11/12
Dkt. L. 12/11/12

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taking any other action that would interfere with Shakespeare Theatre Company's use and enjoyment of the Theater;

- b. terminating Shakespeare Theatre Company's status as LTI's supported organization;
- c. removing Shakespeare Theatre Company's designate to the LTI Board of Directors;
- d. using or diverting any funds in the Theatre's "Reserve Account" held in trust for the Theatre for any purpose other than Theatre upkeep and maintenance; and
- e. permitting any control of LTI's actions, whether directly or indirectly, by any disqualified person or entity, including but not limited to, Graham Gund, Gunwyn/Lansburgh Limited Partnership, and Gunwyn/Lansburgh Development Corporation.

Within five (5) calendar days from the date of this Order, each Defendant shall provide a written report to the Court, with a copy to counsel for Plaintiffs, certifying their compliance with this Order.

This Order is effective beginning the 11th day of December, 2012 at 5:00 p.m.

No bond is required given that the Shakespeare Theatre Company and LTI are both not-for-profit entities, LTI cannot profit from Shakespeare Theatre Company in any event, and this order ensures that LTI will act consistently with its obligations while the case is pending.

Entered this 11 day of December, 2012.


JUDGE JOHN RAMSEY JOHNSON

The Clerk of the Court shall deliver a copy of this Preliminary Injunction Order to All
Counsel of Record in this matter, including the following:

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